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8 UNITED STATES DISTRICT COURT
9 WESTERN DISTRICT OF WASHINGTON
AT TACOMA

10 JOSE RAFAEL CASTRO-LINO,

11 Petitioner,

12 v.

13 RON HAYNES,

14 Respondent.

CASE NO. 3:19-cv-05405 BHS-JRC

ORDER GRANTING EXTENSION
TO FILE REPLY

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16 This matter is before the Court on petitioner's "Motion For Extension of Time to file
17 opening Brief[.]" Dkt. 21.

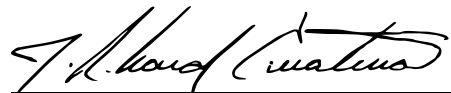
18 After petitioner filed a petition for writ of habeas corpus under 28 U.S.C. § 2254,
19 respondent filed an answer that failed to address one of petitioner's grounds and that did not
20 include the entire relevant state court record. *See* Dkt. 17, at 1–2. Thus the Court ordered
21 respondent to expand the record and to file a supplemental answer regarding the unaddressed
22 ground for relief. *See* Dkt. 17, at 2. The Court further allowed petitioner until November 8,
23 2019 to file a reply. Dkt. 17, at 2.
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1 After petitioner timely filed a supplemental answer and the trial transcripts (*see* Dkts. 19,
2 20), petitioner filed the pending motion, requesting “a 60 day extension to file [his] opening brief
3 [sic].” Dkt. 21. Petitioner’s stated reason for the extension is that he lacks legal training and has
4 limited law library access. Dkt. 21, at 1. Respondent has not filed any opposition to the request.
5 *See* Dkt.

6 The Court interprets petitioner’s request as one to have the deadline to file a reply to
7 respondent’s response and supplemental answer extended. *See* Dkts. 14, 19. The request is
8 granted. Petitioner may file a reply to respondent’s response (Dkt. 14) and supplemental answer.
9 Dkt. 19. If petitioner decides to file a reply, it must be directed toward the arguments raised in
10 respondent’s response and supplemental answer. In a reply, petitioner may not raise additional
11 grounds to those raised in his habeas petition. *See Cacoperdo v. Demosthenes*, 37 F.3d 504, 507
12 (9th Cir. 1994) (“A Traverse [reply] is not the proper pleading to raise additional grounds for
13 relief.”).

14 The Clerk shall update the docket to reflect that petitioner may file a reply directed to
15 respondent’s response (Dkt. 14) and supplemental answer (Dkt. 19) on or before **January 7,**
16 **2020**. Petitioner’s writ of habeas corpus (Dkt. 3) should be re-noted for consideration on
17 **January 7, 2020**.

18 Dated this 18th day of November, 2019.

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22 J. Richard Creatura
23 United States Magistrate Judge
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